

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 431 OF 2004

1. State of Goa,
represented by Captain
of Ports & Anr.

.. Petitioners

Versus

1. Smt. Ratnabai V. Kamat
& Anr.

.. Respondents.

Mr. P. A. Kamat, Government Advocate for the petitioners.

CORAM : A. P. LAVANDE, J.

DATE : 5th May, 2005.

ORAL ORDER

Heard Mr. Kamat, learned Government advocate for the petitioners. By this petition the petitioners assail the Order dated 12th April, 2004, passed by the District Judge, North Goa, at Panaji, in Misc. Civil Appeal No. 130/97, allowing the appeal filed by the respondents herein and directing both the parties to maintain status quo till the suit is finally decided on merits. Mr. Kamat, learned Government Advocate states that Regular Civil Suit No.148/2004 (original Regular Civil Suit No.108/97/B) is pending before the Ad-hoc Additional District Judge Fast Track Court No.1, North Goa, and the matter is fixed for recording the plaintiffs' evidence on 8th June, 2005. Since the trial Court has

already fixed the suit for recording evidence, in my opinion, this is not a fit case to interfere in exercise of writ jurisdiction against the impugned Order, at this stage. In view of the order which I propose to pass, it is not necessary to give notice to the respondents herein.

2. The Ad-hoc Additional District Judge, Fast Track Court No.1, North Goa, Panaji, is directed to dispose of the abovementioned suit expeditiously and in any case, before 31st December, 2005. With these directions the petition stands disposed of.

A. P. LAVANDE, J.

mc.